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IN THE

# SUPREME COURT OF THE UNITED STATES

OCTOBER TERM, 1960.

## No. 459.

GLADYS L. BINDLEY, *Petitioner*,

vs.

METROPOLITAN LIFE INSURANCE COMPANY, a Corporation, *Respondent*.

ON PETITION FOR A WRIT OF CERTIORARI TO THE SUPREME COURT OF MISSOURI.

## REPLY TO RESPONDENT'S BRIEF IN OPPOSITION.

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Respondent's reply brief asserts that [illegible] petitioner and her counsel could have [illegible] yet they were not so notified but only [illegible] newspaper. Hence petitioner was deprived [illegible] erty right in her vested rate of [illegible] Federal Right to due process of law. The [illegible] and in express and direct violation of the [illegible]

It is respectfully submitted that, as there were special and important reasons for overruling *Swift* v. *Tyson*, because it failed to give effect to the Common law, there are like special and important reasons as embodied in Rule 19 of this court for reversing the decision herein of the Missouri Supreme Court and thereby destroying all the like decisions cited in respondent's brief for, as pointed out in *Slocum* v. *United States*, 228 U.S. 1c. 377, in language applicable herein,

> "Beyond all question, the common law here alluded to is the Common law of England, the grand reservoir of all our jurisprudence."

To deny the writ of certiorari herein would operate to approve the act of any court which undertook to destroy the "grand reservoir" of the jurisprudence of both State and nation and if the said consideration does not constitute a special and important reason under rule 19 then it is unnecessary to call attention to any other.

Respectfully submitted.

PAUL E. BINDLEY,
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*Attorneys for Petitioner.*